

**UNITED STATES OF AMERICA
BEFORE THE
NATIONAL LABOR RELATIONS BOARD
REGION 28**

**BALFOUR BEATTY COMMUNITIES,
LLC**

Employer,

and

**INTERNATIONAL UNION OF
OPERATING ENGINEERS,
LOCAL NO. 953**

Petitioner.

Case No. 28-RC-256955

**EMPLOYER’S UNOPPOSED MOTION FOR
CONTINUANCE OF PRE-ELECTION HEARING**

Pursuant to Sections 102.63 and 102.65 of the Rules and Regulations of the National Labor Relations Board, Balfour Beatty Communities, LLC (the “Employer”), by and through its undersigned counsel, hereby submits this Unopposed Motion for Continuance of Pre-Election Hearing, and in support states as follows.

On May 19, 2020, the Regional Director issued a Notice of Representation Hearing setting a telephonic hearing in this matter for May 28, 2020.

On May 27, 2020, the Regional Director issued an Order converting that hearing to a videoconference hearing, and resetting that hearing for June 4, 2020 at 10:00 a.m.

Due to a previously scheduled medical procedure that also requires out-of-state travel and an overnight stay, the nonrefundable costs for which have already been paid, the undersigned Counsel for the Employer is unable to attend a hearing at that time.

As a result, the Employer respectfully requests a continuance of this hearing until June 8, 2020, or as soon thereafter as this hearing may be held.

The continuance is sought in good-faith and not for any improper purpose. Counsel for the Employer contacted Counsel for the Petitioner on May 27, 2020 in this regard, and Counsel for the Petitioner indicated the Union has no objection to this Request.

Respectfully submitted,

/s/ Robert L. Murphy
Robert L. Murphy
Jackson Lewis P.C.
225 Broadway, Suite 2000
San Diego, CA 92101
Robert.Murphy@jacksonlewis.com

Adam C. Doerr
Jackson Lewis P.C.
222 S. Central Ave., Suite 900
St. Louis, MO 63105
Adam.Doerr@jacksonlewis.com

Counsel for the Employer

CERTIFICATE OF SERVICE

I hereby certify that, on May 29, 2020, I caused a true and correct copy of the foregoing Motion to be e-filed, and served on:

Stephen Curtice, Youtz & Valdez, PC: stephen@youtzvaldez.com

Rodolfo Martinez, Field Attorney: rodolfo.martinez@nlrb.gov

/s/ Adam C. Doerr_____